



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S) : David S. Benco  
TITLE : METHOD FOR DISPLAYING  
ROAMING CHARGE RATE ON  
MOBILE STATION  
APPLICATION NO. : 10/633,787  
FILED : August 4, 2003  
CONFIRMATION NO. : 6929  
EXAMINER : Le, Danh C.  
ART UNIT : 2683  
LAST OFFICE ACTION : December 21, 2005  
ATTORNEY DOCKET NO. : LUTZ 2 00231

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from a decision of the primary Examiner mailed **December 21, 2005** finally rejecting claims 1-3, 5-10, 12-20. An After Final Amendment and Response to Examiner's Action is being filed herewith.

The items checked below are appropriate:

01/18/2006 BABRAHA1 00000059 10633787

01 FC:1401

500.00 OP

1. **STATUS OF APPLICANT**

☒ This application is on behalf of other than a small entity.

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. 1.17(b) the fee for filing the Notice of Appeal is:

☒ other than a small entity \$500.00

3. **EXTENSION OF TERM**

☐ Applicant(s) hereby petition(s) the Commissioner under 37 C.F.R. §1.136(a) for a -month extension of time up to and including in which to file the accompanying Notice of Appeal. Payment for the filing of this

Notice of Appeal and any appropriate extension of time fees are authorized to be charged to a Credit Card. The appropriate form PTO-2038 is enclosed for this purpose. If the Credit Card is unable to be charged, please charge any and all fees or credit any overpayment to Deposit Account No. 06-0308.

4. **TOTAL FEES DUE**

The total fee due is:

Notice of Appeal Fee: \$500.00  
 Extension of Time Fee: \$       .00

5. **METHOD OF PAYMENT**

☒ The fees indicated above are authorized to be charged to a credit card.

Respectfully submitted,

FAY, SHARPE, FAGAN,  
 MINNICH & McKEE, LLP

*Eric Highman*

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1/11/06  
 Date

**CERTIFICATE OF MAILING**

I certify that this Notice Of Appeal From The Primary Examiner To The Board Of Patent Appeals And Interferences is being

☐ deposited with the United States Postal Service as First Class mail under 37 C.F.R. § 1.8, addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

☐ transmitted via facsimile under 37 C.F.R. § 1.8 on the date indicated below.

☐ deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated below and is addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No.:	Signature <i>Kristi A. Murphy</i>
Date January 11, 2006	Printed Name Kristi A. Murphy